

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

## **RESPONSE TO DEFENDANT'S SENTENCING MEMORANDUM**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Tracy L. Berry, Assistant United States Attorney for said District, and requests that this Honorable Court impose a term of imprisonment of four months incarceration and a term of supervised release with a special condition of home detention.

The Government submits that the requested sentence is appropriate in light of the nature and circumstances of the offense. As noted in his plea agreement, Defendant produced and sold counterfeit temporary motor vehicle tags, motor vehicle insurance identification cards, and dealer plates to whoever paid his price. R. Doc. 38, 4-5. In addition, Defendant engaged in the offenses of conviction while serving a one-year term of probation for violating a child support order. PSR ¶ 51.

Defendant's continuation of criminal activity while serving the probationary sentence for criminal non-support was not the first occasion that he violated the terms of his supervision with new criminal activity. Defendant incurred the conviction for criminal non-support and the

numerous arrests for driving while serving a two-year term of probation imposed for stealing. PSR ¶¶ 50, 55-60.

There is no question that Defendant's prior criminal activities or his traffic violations are not crimes of the century, but the nature and circumstances of the offense of conviction while under court supervision reveal the need for this Court to impose a sentence that will reflect the seriousness of the offense, promote respect for the law, and afford adequate deterrence to criminal conduct. 18 U.S.C. § 3553(a).

Accordingly, the United States respectfully requests that this Honorable Court impose a four-month term of incarceration and a term of supervised release with a special condition of home detention as the requested sentence will be sufficient, but not greater than necessary to meet the sentencing objectives of § 3553(a)

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on January 20, 2024, this pleading was served on defense counsel through the Court's electronic filing system.

/s/ Tracy L. Berry  
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Assistant United States Attorney